

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 08-CR-36

ANDREA McDEVITT, et. al.,

Defendants.

ORDER

On March 21, 2008, Andrea McDevitt (“McDevitt”) filed a motion to dismiss the indictment. In this motion, McDevitt repeatedly refers to discovery materials and has filed investigative reports as exhibits. This filing appears to be in violation of this court’s Protective Order for Dissemination of Discovery Materials. (Docket No. 155.) Additionally or alternatively, McDevitt’s filing did not comply with the redaction requirements set forth in the E-Government Act, Public Law 107-347.

Therefore, the court orders the Clerk to seal McDevitt’s filing. (Docket No. 191.) McDevitt is further ordered to resubmit her motion to dismiss in conformity with this court’s protective order and General L.R. 79.4. This means that McDevitt shall submit a motion to dismiss that outlines the legal basis for her motion but refrains from disseminating protected discovery materials. This motion to dismiss shall be filed un-sealed on the docket. Any necessary accompanying memorandum of law, affidavit, exhibit, or similar supplementary filing wherein protected discovery is discussed shall not be filed on the record but rather filed separately under seal directly with the Clerk in accordance with General L.R. 79.4. Because this court has already entered a protective

order regarding the dissemination of discovery materials, any filing that must be treated as confidential as a consequence of any reference to discovery materials does not require a separate motion to seal. See General L.R. 79.4(b). A separate courtesy copy of all documents filed shall be delivered directly to the court. All courtesy copies should be clearly marked "COPY" and any courtesy copies of documents filed under seal should also be clearly marked "SEALED."

All parties in this case are advised to follow these procedures with all filings in this case and to take care in ensuring that protected discovery materials or other confidential information is not improperly disseminated.

SO ORDERED.

Dated at Milwaukee, Wisconsin this 25th day of March 2008.

s/AARON E. GOODSTEIN
U.S. Magistrate Judge